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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,982	10/22/2003	Robert C. Stowe	18360/268992	4692
<div>826 7590 06/27/2008</div> <div>ALSTON & BIRD LLP</div> <div>BANK OF AMERICA PLAZA</div> <div>101 SOUTH TRYON STREET, SUITE 4000</div> <div>CHARLOTTE, NC 28280-4000</div>				
<div>EXAMINER</div> <div>CHEUNG, MARY DA ZHI WANG</div>				
<div>ART UNIT</div>		<div>PAPER NUMBER</div>		
3694				
<div>MAIL DATE</div>		<div>DELIVERY MODE</div>		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/690,982

Applicant(s)

STOWE ET AL.

Examiner

MARY CHEUNG

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 8-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Status of the Claims

1. This action is in response to the applicant's amendment filed on May 2, 2008. Claims 1-21 are pending. Claims 8-13 are withdrawn. Claims 1, 3-7, 14 and 17-21 are amended. Claims 1-7 and 14-21 are examined.

Response to Arguments

2. Applicant's arguments filed May 2, 2008 have been fully considered but they are not persuasive.

The applicant argues that Vadlamani (US 2002/0161676 A1) fails to teach "establishing a billing relationship with said internet service provider such that said internet service provider monitors said Internet access by said network terminal and charges said carrier for said access" as claimed because Vadlamani teaches billing internet subscribers not the carrier. Examiner respectfully disagrees. The carrier in the applicant's teaching is the party who is responsible to pay internet service fees for users' internet access; thus the carrier is an internet subscriber and Vadlamani teaches the claimed limitation.

In response to the applicant's challenge to the examiner's Official Notice, the examiner has provided the reference Nhaissi (US 2005/0203835 A1) to show the teachings of quantity usage is measured by quantity of hits to the one or more Internet websites, or by quantity of data transferred between said network terminal and said one or more Internet websites. Nhaissi clearly teaches charge the user based on the quantity hits of the website or quantity of data transferred (§ 263-264).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6 and 14-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groff et al., US 2003/0217018 A1 in view of Vadlamani, US 2002/0161676 A1, and in further view of the applicant admitted prior art.

As to claim 1, Groff teaches a method of allowing a carrier to provide shipping services to a user via one or more Internet associated with said carrier, wherein said user does not have access to the Internet, said method comprising (§¶ 1, 14, 26):

- providing said user with a network terminal that is configured to access the Internet via a link between said network terminal and an internet service provider (§¶ 14, 16, 26 and Fig. 1; *"network terminal" corresponds to the order station 120 in Groff's teaching*).

Groff does not specifically teach establishing a billing relationship with said internet service provider such that said internet service provider monitors said Internet access by said network terminal and charges said carrier for said access. However, this matter is taught by Vadlamani as internet service provider (ISP) monitors usage of the Internet and bills the internet subscriber based on the usage of the Internet (§¶ 4). Furthermore, Groff does not explicitly teach the Internet provides to the user Internet websites. However, Vadlamani teaches this matter (§¶ 7). It would have been obvious

to one of ordinary skill in the art at the time the invention was made to allow Groff's teaching to include the feature of ISP monitors usage of the Internet and bills the internet subscriber based on the usage of the Internet, and further include the feature of providing websites to the user as taught by Vadlamani for allowing the ISP better collecting fees from the users and as well as for providing better service to the user.

Groff modified by Vadlamani does not specifically teach restricting said access of said network terminal to said one or more Internet websites associated with said carrier. However, the applicant admitted that it is well known in the art to restrict the user to access certain websites (see ¶ 7 of the applicant's specification). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teachings of Groff modified by Vadlamani to include the feature of restricting users to access certain websites so that the internet subscribers have better control over the users for preventing them to access certain websites.

As to claim 2, Groff teaches said communication link is by wireless transmission (¶ 26).

As to claim 3, Groff modified by Vadlamani and the applicant admitted prior art teaches the step of restricting said access is performed by said network terminal (see ¶ 7 of the applicant's specification and also see claim 1 above).

As to claim 4, Groff modified by Vadlamani and the applicant admitted prior art teaches the step of restricting said access is performed by said internet service provider (see ¶ 7 of the applicant's specification and also see claim 1 above).

As to claim 6, Groff modified by Vadlamani and the applicant admitted prior art further teaches said monitoring of said Internet access comprises monitoring duration of

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access of said network terminal to said one or more Internet websites and said charge for said Internet access is based in part on said duration of said access (Vadlamani : ¶ 40-43). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the teachings of Groff modified by Vadlamani and the applicant admitted prior art to include the feature of monitoring duration of access of said network terminal to Internet websites as taught by Vadlamani for allowing the ISP better collecting fees from the users.

As to claim 15, Groff teaches providing said shipper with access to a shipping tool on said carrier website that generates a shipping label and delivers said shipping label to a browser associated with said terminal (Fig. 4 and also see claim 1 above).

Claims 14 and 16-19 are in parallel with claims 1-4 and 6; thus, they are rejected for the same rationales.

5. Claims 5, 7 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Groff et al., US 2003/0217018 A1 in view of Vadlamani, US 2002/0161676 A1 and the applicant admitted prior art, and in further view of Official Notice and evidenced by Nhaissi et al., US 2005/0203835 A1.

As to claims 5, 7 and 20-21, Groff modified by Vadlamani and the applicant admitted prior art teaches monitoring quantity usage of internet service (Vadlamani: ¶ 4, 42). The combined teaching does not specifically teach quantity usage is measured by quantity of hits to the one or more Internet websites, or by quantity of data transferred between said network terminal and said one or more Internet websites, and said charge for said Internet access is based in part on said quantity of hits, or quantity of data transferred. The examiner takes Official Notice that it is well known in the art that the

quantity usages can be measured by the quantity hits of a website or by quantity of data transferred. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the quantity usage in the teachings of Groff modified by Vadlamani and the applicant admitted prior art to be measured by the quantity hits of a website or by quantity of data transferred so that the ISP can better collecting fees from the users based on the quantity usage.

Notes: The applicant has challenged the examiner's Official Notice. The examiner now is providing the reference Nhaissi to show the teachings of quantity usage is measured by quantity of hits to the one or more Internet websites, or by quantity of data transferred between said network terminal and said one or more Internet websites (§ 263-264).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax phone number for the organization where this application or proceedings is assigned are as follows:

- (571) 273-8300 (Official Communications; including After Final
Communications labeled "BOX AF")
- (571) 273-6705 (Draft Communications)

/Mary Cheung/
Primary Examiner, Art Unit 3694
June 23, 2008